

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative Stephen Chin on 5/8/09.

The application has been amended as follows:

In reference to Claim 1

In line 2, "capable of photographing" has been replaced with --configured to photograph--.

In line 4, "capable of determining" has been replaced with --configured to determine--.

In line 24, "capable of determining" has been replaced with --configured to determine--.

In line 25, "plural" has been deleted.

In reference to Claim 3

In line 3, "capable of extracting" has been replaced with --configured to extract--.

In line 6, "capable of determining" has been replaced with --configured to determine--.

In reference to Claim 6

In line 2, "capable of extracting" has been replaced with --configured to extract--.

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In reference to Claim 7

In line 6, “capable of determining” has been replaced with --configured to determine--.

In line 26, “capable of determining” has been replaced with --configured to determine--.

In line 27, “plural” has been deleted.

In reference to Claim 9

In line 2, “extracts” has been replaced with --is configured to extract--.

In line 4, “determines” has been replaced with --is configured to determine--.

In reference to Claims 12-14 and 16

Claims 12, 13, 14, and 16 have been canceled.

In reference to the Abstract

The abstract has been replaced with the following: --A system which extracts motion data from a video image of an infant, and determines synchronism, symmetry, and/or coordination among the limbs. The system uses the synchronism, symmetry, and/or coordination results to determine whether the infant has a disease and/or what disease it may be. The system uses as an index for coordination one or more of: a movement start/stop order and acceleration of the markers; the trajectory, speed, or acceleration of a midpoint of a line connecting markers attached to various combinations of the arms and legs; and the trajectory, speed, and acceleration of a gravity center of a plane connecting three markers attached to various limbs.—

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2. The following is an examiner's statement of reasons for allowance: It is noted that Claims 1 and 7 include "feature image extracting means for extracting", "limb movement means for determining", "movement analyzing means for extracting", and "judging means for judging". The Examiner has presumed that the Applicant intended to invoke 35 U.S.C § 112, sixth paragraph. The above "means for" limitations have been interpreted by the Examiner to be computer readable medium containing computer programs which are configured to cause a computer to conduct the functions which follow them.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN PANI whose telephone number is (571)270-1996. The examiner can normally be reached on Monday-Friday 7:30 am - 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on 571-272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JP 5/8/09

/Max Hindenburg/
Supervisory Patent Examiner, Art Unit 3736